

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, JANUARY 17, 2012

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 17, 2012

The Senate met in regular session at 10:12 a.m., President Kibbie presiding.

Prayer was offered by Nina Liu, Senate Page from Urbandale, Iowa, who played “Amazing Grace” on the violin.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senator Sodders.

The Journal of Friday, January 13, 2012, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:19 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:21 a.m., President Kibbie presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:22 a.m. until 9:00 a.m., Wednesday, January 18, 2012.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF REGENTS

Economic Development and Technology Transfer Report, pursuant to 2011 Iowa Acts, chapter 130, section 14, and Iowa Code sections 15G.111(5c) and 262B.3(3). Report received on January 13, 2012.

2012–2011 University of Iowa Hospitals and Clinics Audited Financial Report, pursuant to Iowa Code section 263A.13. Report received on January 13, 2012.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Division of Soil Conservation Infrastructure Status Reports. Report received on January 17, 2012.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

2012 Annual Consumer Advocate Bureau Report, pursuant to Iowa Code section 505.8(6b). Report received on January 13, 2012.

DEPARTMENT OF PUBLIC HEALTH

Activities of the Direct Care Worker Advisory Council: Update and Report, pursuant to 2011 Iowa Acts, [HF 649](#). Report received on January 17, 2012.

IOWA ECONOMIC DEVELOPMENT AUTHORITY

2011 Third and Fourth Quarterly Reports on the Activities of the Iowa Commission on Volunteer Service, pursuant to Iowa Code section 15H.2(3h). Report received on January 13, 2012.

DEPARTMENT OF NATURAL RESOURCES

2011 Annual Report and Recommendations from the Environmental Protection Commission, pursuant to Iowa Code section 455B.105(5). Report received on January 17, 2012.

IOWA JUDICIAL BRANCH

2012 Enhanced Court Collections Fund and Court Technology Fund Reports, pursuant to 2011 Iowa Acts, [SF 511](#), section 1(8). Report received on January 16, 2012.

AGENCY ICN REPORT

An Iowa Communications Network (ICN) usage report for FY 2011, pursuant to Iowa Code section 8D.10, was received from the following agency:

BOARD OF REGENTS—Report received on January 13, 2012.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Hattie Cibula, Toledo—For celebrating her 104th birthday. Senator Kapucian (1/17/12).

Sandy Davis, Burlington—For celebrating her 80th birthday. Senator Courtney (1/17/12).

The Honorable Baushuan Ger, Director General of the Taipei Economic and Cultural Office in Chicago—For being recognized as a Distinguished Guest of the people of Iowa. Senator Beall (1/17/12).

Jannan Hancock, Dubuque—For celebrating her 85th birthday. Senator Hancock (1/17/12).

Ray Hines, Belle Plaine—For celebrating his 100th birthday. Senator Kapucian (1/17/12).

Don Landes, West Point—For celebrating his 80th birthday. Senator Courtney (1/17/12).

Patrick and Miriam Lawlor, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (1/17/12).

Phyllis Phillips, Burlington—For celebrating her 90th birthday. Senator Courtney (1/17/12).

George Simon, Jr., Farley—For 46 years of outstanding and dedicated service to the Farley Fire Department and citizens of Iowa. Senator Hancock (1/17/12).

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: Tuesday, January 17, 2012, 1:05 p.m.

Members Present: Wilhelm, Chair; Bartz, Ranking Member; Bacon, Bowman, Courtney, Ernst, Hamerlinck, Quirnbach, Rielly, and Schoenjahn.

Members Absent: Beall, Vice Chair (excused).

Committee Business: Presentation by Iowa State Association of Counties and League of Cities.

Adjourned: 1:20 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, January 17, 2012, 10:10 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Behn, Ranking Member; Bartz, Courtney, Danielson, Dearden, Dvorsky, McKinley, Ragan, and Zaun.

Members Absent: None.

Committee Business: Passed [SR 101](#).

Adjourned: 10:15 a.m.

STATE GOVERNMENT

Convened: Tuesday, January 17, 2012, 1:05 p.m.

Members Present: Danielson, Chair; Kibbie, Vice Chair; Sorenson, Ranking Member; Bertrand, Chelgren, Dearden, Dix, Feenstra, Fraise, Hatch, Horn, Jochum, Smith, and Sodders.

Members Absent: McCoy (excused).

Committee Business: Organizational meeting.

Adjourned: 1:10 p.m.

STUDY BILLS RECEIVED

[SSB 3024](#) Judiciary

Relating to reimbursements for certain state prisoners confined in a county jail.

[SSB 3025](#) Judiciary

Relating to sexual misconduct committed by agents and employees of the department of corrections and judicial district departments of correctional services, and providing a penalty.

SSB 3026 **Judiciary**

Relating to the confidentiality of an arrest warrant.

SSB 3027 **Judiciary**

Relating to a person's refusal to submit to a chemical test of the person's blood in an operating-while-intoxicated case.

SSB 3028 **Judiciary**

Requiring an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

SSB 3029 **Judiciary**

Requiring a person convicted of or receiving a deferred judgment for an aggravated misdemeanor to submit a DNA sample and including a contingent effective date.

SSB 3030 **Judiciary**

Relating to the compilation of a presentence investigation report in a criminal proceeding.

SSB 3031 **Judiciary**

Relating to the controlled substance of marijuana, including an effective date provision, and providing a penalty.

SSB 3032 **Judiciary**

Relating to the nomination and appointment of district judges.

SSB 3033 **Judiciary**

Relating to the appointment and removal of clerks of the district court.

SSB 3034 **Judiciary**

Relating to the possession, distribution, and reporting of obscene material, and making penalties applicable.

SSB 3035 **Human Resources**

Relating to the powers and duties of the department on aging.

SSB 3036 **Human Resources**

Relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions.

SSB 3037 **Human Resources**

Relating to an exception from state certification for adult day services programs.

SSB 3038 **Human Resources**

Relating to the sealing and expungement of child abuse registry information.

SSB 3039 **Human Resources**

Relating to the designation of area agencies on aging, and including effective date provisions.

SSB 3040 **Human Resources**

Relating to the licensed professionals authorized to prescribe respiratory care services.

SSB 3041 **Human Resources**

Making changes to the controlled substance schedules, and making penalties applicable.

SSB 3042 Human Resources

Relating to the exchange of information among prescription databases and monitoring programs.

SSB 3043 Human Resources

Relating to physician orders for scope of treatment.

SSB 3044 Human Resources

Relating to the practice of nursing, including defining the functions of an advanced registered nurse practitioner and requiring background checks on nursing students.

SSB 3045 Ways and Means

Relating to the administration of the streamlined sales tax agreement by the department of revenue.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2001**

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Bolkcom and Hamerlinck

Senate File 148
(Reassigned)

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Seymour

Senate File 250
(Reassigned)

HUMAN RESOURCES: Jochum, Chair; Bacon and Bolkcom

Senate File 2001

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Hahn and Seng

Senate File 2004

HUMAN RESOURCES: Bolkcom, Chair; Hatch and Seymour

[Senate File 2010](#)

HUMAN RESOURCES: Hatch, Chair; Boettger and Ragan

[Senate File 2016](#)

JUDICIARY: Hancock, Chair; Dvorsky and Whitver

[Senate File 2017](#)

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Hamerlinck and Schoenjahn

[Senate File 2019](#)

HUMAN RESOURCES: Hatch, Chair; Dotzler and Johnson

[House File 693](#)

HUMAN RESOURCES: Hatch, Chair; Dotzler and Seymour

[House File 695](#)

HUMAN RESOURCES: Quirnbach, Chair; Bacon and Bolkcom

[House File 696](#)

HUMAN RESOURCES: Dotzler, Chair; Ragan and Whitver

[SSB 3024](#)

JUDICIARY: Quirnbach, Chair; Dix and Hancock

[SSB 3025](#)

JUDICIARY: Fraise, Chair; Boettger and Horn

[SSB 3026](#)

JUDICIARY: Fraise, Chair; Horn and Ward

[SSB 3027](#)

JUDICIARY: Jochum, Chair; Hancock and Sorenson

[SSB 3028](#)

JUDICIARY: Soddors, Chair; Horn and Whitver

[SSB 3029](#)

JUDICIARY: Soddors, Chair; Horn and Whitver

[SSB 3030](#)

JUDICIARY: Jochum, Chair; Boettger and Horn

[SSB 3031](#)

JUDICIARY: Fraise, Chair; Dix and Dvorsky

[SSB 3032](#)

JUDICIARY: Hogg, Chair; Hancock and Ward

[SSB 3033](#)

JUDICIARY: Fraise, Chair; Dvorsky and Sorenson

[SSB 3034](#)

JUDICIARY: Fraise, Chair; Dvorsky and Ward

[SSB 3035](#)

HUMAN RESOURCES: Bolkcom, Chair; Jochum and Seymour

[SSB 3036](#)

HUMAN RESOURCES: Jochum, Chair; Mathis and Boettger

[SSB 3037](#)

HUMAN RESOURCES: Jochum, Chair; Mathis and Whitver

[SSB 3038](#)

HUMAN RESOURCES: Dotzler, Chair; Wilhelm and Whitver

[SSB 3039](#)

HUMAN RESOURCES: Bolkcom, Chair; Jochum and Seymour

[SSB 3040](#)

HUMAN RESOURCES: Ragan, Chair; Wilhelm and Bacon

[SSB 3041](#)

HUMAN RESOURCES: Quirnbach, Chair; Mathis and Boettger

[SSB 3042](#)

HUMAN RESOURCES: Wilhelm, Chair; Jochum and Johnson

[SSB 3043](#)

HUMAN RESOURCES: Ragan, Chair; Bolkcom and Seymour

[SSB 3044](#)

HUMAN RESOURCES: Dotzler, Chair; Quirmbach and Seymour

[SSB 3045](#)

WAYS AND MEANS: Dotzler, Chair; Mathis and Smith

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 101](#), a resolution congratulating the Republic of China on Taiwan on its twentieth anniversary of participating in the Asia-Pacific Economic Cooperation forum and supporting the Republic of China on Taiwan as a part of the global community.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Behn, Bartz, Courtney, Danielson, Dearden, Dvorsky, McKinley, Ragan, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.